

March 11, 2019

Senator Christine Cohen
Co-Chair, Joint Environment Committee
Legislative Office Building, Room 3200
Hartford, CT 06106-1591

Representative Mike Demicco
Co-Chair, Joint Environment Committee
Legislative Office Building, Room 3201
Hartford, CT 06106-1591

Re: Raised Bill 7295 – An act concerning a recycling program for paper and packaging and requiring certain municipal solid waste management goals – OPPOSED

The Honorable Christine Cohen and Mike Demicco:

We appreciate the opportunity to comment on Raised Bill 7295, an act concerning a recycling program for paper and packaging and requiring certain municipal solid waste management goals. While we applaud the intent of the bill, we must respectfully oppose this bill in its current form. We offer our concerns with the bill and suggestions on how to better address solid waste management below.

The Plastics Industry Association (PLASTICS) is a purpose-driven organization that supports the entire plastics supply chain – nearly one million U.S. workers. In Connecticut there are over 10,000 plastics industry employees. We are in the unique position to provide input and solutions that encompass the views of the entire value chain.

We support the idea that manufacturers play an important role in being good stewards of the environment. This is why our industry implements sustainable materials management strategies – concepts that consider the entire lifecycle of a product. Through our own commitment to sustainability we work with our members to help them achieve their sustainability goals, such as zero net waste at their facilities and increased use of recycled content in their products. We are opposed to extended producer responsibility (EPR) programs namely because they are an inefficient use of resources, are not flexible to changing waste streams, do not fairly represent all manufacturers, and further hide the cost of recycling and recovery from consumers. Nevertheless, we would appreciate the opportunity to work with Connecticut Legislators and the Department of Energy and Environmental Protection on more impactful efforts to increase plastics recovery in the state.

This legislation burdens producers, who are not in the business of waste management, with the responsibility of providing “free, convenient and accessible state-wide opportunities for the receipt of packaging and paper from any person in the state.” By requiring that producers fund the cost of recycling, this cost will inevitably be passed on to consumers. This has the added effect of not properly identifying and informing consumers of the cost of recycling.

EPR programs do not create markets for recyclable materials. End markets for recycled materials are crucial so the economics of recycling programs remain healthy. That is why PLASTICS has created a model for exploring end market development for a variety of recycled materials. Through the open-source approach, we engage every segment of the supply chain, welcoming members and non-members alike to participate in our process to identify new uses for recycled plastics. These projects yield key information about processing techniques and material quality that accelerate the evaluation of recycled plastics by processors and brand owners.

Our New End Market Opportunities (NEMO) for film project has unlocked new processing techniques, identified new domestic opportunities and we hope will spur new investment that will enable the growth of retail film collection. Demonstration projects and reports on our findings can be found at www.plasticsindustry.org/DemonstrationProjects.

Increased investment in recycling infrastructure is a critical component of improving the State's recycling system. We are committed to work with state and local governments to help them improve their recycling systems. That is why we have been leading a coalition of nearly 30 organizations to encourage the inclusion of recycling as part of any federal infrastructure bill. Recycling is a critical service provided by local governments and should receive federal funding just like roads and bridges. Maintaining a successful recycling system requires a balance between participation, access and demand. All three of these elements are addressed in our federal legislation, which is material neutral and addresses recycling concerns for all product types.

States continue to look for methods of implementing EPR programs for packaging, even though packaging come in many shapes, sizes and materials. For multiple reasons, these states have found that EPR programs for packaging would not be sustainable. We reflect on our participation during the 2017 Task Force to Study Methods for Reducing Consumer Packaging that Generates Solid Waste in addition to our involvement with other states that have considered EPR. Several other proposals were suggested in the Task Force report which we would like to reiterate here and encourage the state pursue before implementing EPR. These include:

- enforcing existing litter laws,
- leveraging the use of voluntary, industry-funded programs like The Recycling Partnership and Closed Loop Fund,
- promoting recycling in public spaces,
- creating incentives to encourage Pay-As-You-Throw programs,
- increasing consumer education about proper disposal techniques, and
- encouraging continued source reduction.

An additional concern we have with Raised Bill 7295 is that the definition of packaging is too broad. By defining "packaging" as "any material, substance or object that is used to protect, contain, or transport any commercial commodity or product regardless of the recyclability or availability of a market for such recycled material, substance or object," can capture many unintended items. Many "producers" will be subject to this law who do not manufacture packaging that we believe this legislation is intending to target. Durable goods packaging, back of house and tertiary packaging, and other such "packaging" that is not commonly found in waste streams should not be burdened by this legislation.

We again state our gratitude for the opportunity to comment on this legislation. We hope to continue working with policymakers to implement programs that protect our environment while still benefiting from the positive aspects of plastic packaging. PLASTICS advocates for the responsible recycling, reuse, and recovery of all plastic products. We do not wish to see any of our products used irresponsibly or disposed of incorrectly. While we respectfully oppose this legislation, we reiterate our request to work with the State Legislature and Department of Energy and Environmental Protection to develop meaningful and practical solutions ensuring the responsible recovery of all plastics.

Respectfully submitted,



Shannon V. Crawford
Director, State Government Affairs